

Applicants further elect as the species the tetrapeptide Asp Ala His Lys. Claims 1-31 read on this species.

Applicants traverse the restriction requirement as it applies to Groups 1 and 2. Applicants are aware of the requirement to select one group of claims in response to a restriction requirement, but cannot do so in this case. In particular, the Examiner has established two subgenus G1 and G2 and has divided Claims 1-58 into two groups (Groups 1 and 2) based on these subgenus. The nature of the two subgenus is not understood, so Applicants are unable to decide what is encompassed by Group 1 as opposed to Group 2.

The two subgenus G1 and G2 are based on whether certain material is or is not incorporated by reference into the application. Although incorporation by reference may be an issue during prosecution, it is respectfully submitted that this issue is not a proper basis for a restriction requirement.

The present restriction requirement is not based on the current claims but on some possible future claims. If, as suggested by the Examiner, Applicants amend the claims in the future to add claims based on information "extracted" from references incorporated by reference, the Examiner can make an additional restriction requirement and/or other objections or rejections at that time.

For the foregoing reasons, it is requested that Claims 1-58 be examined together.

Finally, Applicants are not unmindful of the fact that the application as filed contained a large number of claims. The Examiner's patience and hard work in evaluating these claims for this Restriction Requirement are acknowledged with appreciation.

Respectfully submitted,

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